

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

MOEKETSI MOLAOLI,

Plaintiff,

ORDER

13-cv-540-bbc

v.

PHYLISS REED, ALICIA BORTH and
DERIMER BRENT,

Defendants.

Plaintiff Moeketsi Molaoli filed two amended complaints in response to the September 10, 2013 order dismissing his complaint for failure to state a claim and warning him that Rule 20 of the Federal Rules of Civil Procedure might require him to separate his unrelated claims against different defendants into two lawsuits. On November 15, 2013, I ordered plaintiff to tell the court whether he wanted to pursue both amended complaints or just one and I cautioned him that proceeding with both would result in an additional filing fee. On November 21, 2013, plaintiff responded that he wanted to pursue only his complaint against defendant Reed. Dkt. #11. He stated that his reason for doing so was the “condition” that he “either pay for the second law suit or proceed with one waived.” Id.

I believe plaintiff may have misunderstood my previous order to mean that he would have to prepay the filing fee for the additional lawsuit, but that is not the case. Plaintiff is proceeding in forma pauperis, and this court determined that he may proceed in his lawsuit,

13-cv-540, without prepayment of any portion of his filing fee. Dkt. #3. Nevertheless, plaintiff will ultimately owe the court \$350 for filing one lawsuit. If plaintiff wishes to proceed with both lawsuits, he may do so without prepaying for the fees or costs of the additional lawsuit, but he will eventually owe the court another \$350 filing fee, for a total of \$700. If, with this clarification, plaintiff decides that he wants to go ahead with both cases, he must respond to this order by December 2, 2013, to say that he would like to pursue his claim against defendants Alicia Borth and Brent Deremer. If he does not respond, I will assume that he does not want to pursue his claims against those defendants at this time.

ORDER

IT IS ORDERED that plaintiff Moeketsi Molaoli may have until December 2, 2013 to file a response to this order, stating whether he wishes to proceed with his lawsuit against defendants Borth and Deremer at this time.

Entered this 25th day of November, 2013.

BY THE COURT:
/s/
BARBARA B. CRABB
District Judge